

**MINUTES OF THE MEETING OF JANUARY 22, 2007**

PRESIDENT PRO TEM CASAR: The Chair calls this meeting of Canton City Council to order. Invocation will be given by Member West and please remain standing for the Pledge of Allegiance.

PRESIDENT PRO TEM CASAR: I have to go back and have roll call, I kinda missed that. Roll call please.

***ROLL CALL TAKEN BY CLERK TIMBERLAKE:***

12 COUNCILMEMBERS PRESENT: (DON CASAR, JOE CARBENIA, MARY M. CIRELLI, BILL SMUCKLER, GREG HAWK, THOMAS E. WEST, JAMES GRIFFIN, KELLY ZACHARY, TERRY PRATER, DAVID R. DOUGHERTY, RICHARD D. HART, & KARL "BUTCH" KRAUS)

All COUNCILMEMBERS PRESENT

CLERK TIMBERLAKE: All present Mr. President.

*The regular meeting of Canton City Council was held on Monday, January 22, 2007 at 7:30 P.M. in the Canton City Council Chamber. The roll call was taken (see above) by Clerk of Council Cynthia Timberlake. The invocation was given by Ward 2 Councilmember Thomas West, followed by the Pledge of Allegiance led by President Pro Tem Casar.*

**AGENDA CORRECTIONS & CHANGES**

PRESIDENT PRO TEM CASAR: We are now under corrections of the agenda. I have a Motion to suspend Rule 22A to add Ordinances 13 through and including 17 to this evenings agenda for 2<sup>nd</sup> reading and Ordinance 22A, ah....also ah, 12A to suspend Ordinance for a reading...for the 1<sup>st</sup> reading on.....

MEMBER CARBENIA: Mr. President.

PRESIDENT PRO TEM CASAR: Member Carbenia.

MEMBER CARBENIA: Ah.... I move, I move we ah....Rule 22A be suspend to add reading ah.....1st readings of 12A and 2<sup>nd</sup> readings of um....Ordinance 14 through 17 to this evening's agenda; seconded.

PRESIDENT PRO TEM CASAR: It's been moved and seconded. Are there any remarks?... If not roll call please.

NO REMARKS

ROLL CALL: 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas Mr. President.

**PUBLIC HEARINGS**

PRESIDENT PRO TEM CASAR: We have no public hearings.

**PUBLIC SPEAKS**

PRESIDENT PRO TEM CASAR: We have no one signed up to speak public speaks for matters pertaining to this evenings Agenda.

**MINUTES OF THE MEETING OF JANUARY 22, 2007****INFORMAL RESOLUTIONS**

PRESIDENT PRO TEM CASAR: Informal Resolutions to excuse members, Member Carbenia.

MEMBER CARBENIA: Mr. President, I move we excuse President ah...Schulman from tonight's meeting; seconded.

PRESIDENT PRO TEM CASAR: It's been moved and seconded to excuse ah...President Allen Schulman from this evening's meeting. Are there any comments? If not, roll call please.

NO REMARKS

ROLL CALL: 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas Mr. President.

PRESIDENT PRO TEM CASAR: Member ah....President Schulman is duly excused from this evening's meeting. We are now under ah....Informal Resolutions.

(Not read aloud)

(#6 HAWK, G., WARD 1 CNCLMBR: COMMENDING JOANNE M. HARRISON FOR HER WORK AND DEDICATION TO THE WEED AND SEED PROGRAM.- ADOPTED)

MEMBER CARBENIA: Mr. President.

PRESIDENT PRO TEM CASAR: Member Carbenia.

MEMBER CARBENIA: I move we adopt Resolution 6; seconded.

PRESIDENT PRO TEM CASAR: There is a motion to adopt Resolution #6. Are there any remarks? If not all those in favor signify by saying aye. Those opposed nay.

NO REMARKS

RESOLUTION #6 APPROVED BY UNANIMOUS VOICE VOTE

PRESIDENT PRO TEM CASAR: The ayes have it, Resolution #6 is adopted.

(Not read aloud)

(#7 PERSONNEL COMMITTEE: REQUEST TO APPOINT PASTOR ROBERT DYE TO FAIR EMPLOYMENT BOARD EXPIRING ON 12/31/09. - ADOPTED)

PRESIDENT PRO TEM CASAR: Resolution #7.

MEMBER CARBENIA: Mr. President. I move we adopt Resolution #7; seconded.

PRESIDENT PRO TEM CASAR: It's been moved and seconded that we adopt Resolution #7. Are there any remarks? If not all those in favor signify by saying aye. Those opposed nay.

NO REMARKS

RESOLUTION #7 APPROVED BY UNANIMOUS VOICE VOTE

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PRESIDENT PRO TEM CASAR: The ayes have it, Resolution #7 is adopted.

**COMMUNICATIONS**

PRESIDENT PRO TEM CASAR: We are now under communications. Let the Journal show that all communications are received as read.

***NOTE: ALL COMMUNICATIONS WHICH FOLLOW, LISTED BY AGENDA TITLE, ARE ON FILE IN THEIR ENTIRETY IN THE COUNCIL OFFICE WITH THE AGENDA ITEMS FILE DATED JANUARY 22, 2007.***

24. CANTON PARKS DIR., PERRY: ADVISING THAT PARK COMMISSION MBR LON WINBERRY & DIR PERRY WOULD REPRESENT THE PARK COMMISSION ON A COMMITTEE TO LOOK INTO THE TREE COMMISSION CONCEPT. - RECEIVED & FILED
25. CD & PLANNING DIR., POORMAN: REQUEST LEGISLATION TO ENTER INTO CONTRACT W/BROWNFIELD RESTORATION GROUP FOR THE PHASE II ASSESSMENT WORK AT THE FORMER HERCULES ENGINE SITE. - FINANCE COMMITTEE
26. HART, R., WARD 7 CNCLMBR: PROPOSING THE CREATION OF A SIGNAGE PROGRAM AS A PART OF RECYCLING. - RECEIVED & FILED
27. HEALTH BENEFITS ADMIN., BRESSON: DECEMBER 2006, MONTHLY COMPARATIVE REPORT OF INSURANCE CLAIMS & JAN - DEC 2006 PAID CLAIMS & COMPARATIVE REPORT. - RECEIVED & FILED
28. LAW DIR., MARTUCCIO: AUTHORIZE TO PREPARE LEGISLATION TO EITHER AMEND PREVIOUS, RELEVANT ORDINANCES, OR TO PREPARE A NEW ORDINANCE(S) TO AMEND THE CITY'S MAPS INCLUDED IN THE CEDA & THE CONSENSUAL, EXPEDITED ANNEXATION IN ORDER TO BRING THE DOCUMENTS INTO COMPLIANCE W/THE NEW CASE LAW & THE PENDING LITIGATION. - ANNEXATION COMMITTEE
29. LIQUOR CONTROL DIVISION (OHIO): REQUEST TRANSFER OF OWNERSHIP OF D2, D2X, D3 LIQUOR PERMIT FR: CATHIE L ADAMS DBA LITTLE COUNTRY BAR @ 1652 BRYAN AV SW 1<sup>ST</sup> FL FRONT TO: MARK A & FRANCES D MILLS DBA MARKS TAVERN. - INTERGOVERNMENTAL & PUBLIC SERVICE COMMITTEE
30. LIQUOR CONTROL DIVISION (OHIO): ADVISING THAT HEARING REGARDING CANTON SOUTH DRIVE THRU, INC @ 1837 CLEVELAND AVE SW HAS BEEN CANCELLED. - RECEIVED & FILED
31. LIQUOR CONTROL DIVISION (OHIO): ADVISING THAT HEARING REGARDING MAC'S CONVENIENCE STORES, LLC @ 1212 - 12<sup>TH</sup> ST NW HAS BEEN CANCELLED. - RECEIVED & FILED

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32. LIQUOR CONTROL DIVISION (OHIO): SUBMITTING NOTICE OF HRG FOR RENEWAL OF PERMIT ON 2/7/07 @ 11:00 A.M. (AHN, INC., DBA STORE, 1105 W. TUSC.). - RECEIVED & FILED
33. LIQUOR CONTROL DIVISION (OHIO): SUBMITTING NOTICE OF HRG FOR STOCK TRANSFER ON 2/7/07 @ 11:00 A.M. (AHN, INC., DBA STORE, 1105 W. TUSC.). - RECEIVED & FILED
34. MAYOR CREIGHTON: RECEIPT OF TENTATIVE AGREEMENT W/LOCAL 3449 & OHIO CNCL 8, OF AMERICAN FEDERATION OF STATE, COUNTY & MUNICIPAL EMPLOYEES, AFL-CIO FOR COUNCIL'S APPROVAL OR REJECTION. - PERSONNEL COMMITTEE
35. MAYOR CREIGHTON: AUTHORIZE LAW DEPT TO DRAFT AMENDMENTS TO THE MANAGEMENT NON BARGAINING UNIT WAGE SCHEDULE, THE CLASSIFICATION PLAN FOR MANAGEMENT NON BARGAINING UNIT EMPLOYEES AND CHAPTER 151, EMPLOYMENT PROVISIONS OF THE CODIFIED ORDINANCES. - PERSONNEL COMMITTEE
36. MAYOR CREIGHTON: REQUEST AUTHORIZATION TO RE-APPOINT MR. CLINT ZOLLINGER TO THE FAIR EMPLOYMENT PRACTICES BOARD EFF: 1/1/06 - 12/31/09. - PERSONNEL COMMITTEE
37. PLANNING COMMISSION: RECOMMENDING APPROVAL OF PROPOSED REPLAT OF PART OF LOT 37589 AND PART OF OUT LOT 850 IN THE 3000 BLOCK OF CLEVELAND AVE N (ROGER DEVILLE). - PUBLIC SAFETY & THOROUGHFARES COMMITTEE
38. PLANNING COMMISSION: RECOMMENDING APPROVAL OF PROPOSED REPLAT OF LOTS 26501 - 26503 ON 27<sup>TH</sup> ST NE BETWEEN GIBBS AVE NE & ROWLAND AVE NE (JIM STEVENSON). - PUBLIC SAFETY & THOROUGHFARES COMMITTEE
39. PLANNING COMMISSION: RECOMMENDING APPROVAL OF PROPOSED REPLAT OF OUTLOT 1013 ON BELDEN AVE SE @ ED STEIN DR SE (HENDRIKSON TRAILER SUSPENSION). - PUBLIC SAFETY & THOROUGHFARES COMMITTEE
40. PLANNING COMMISSION: RECOMMENDING APPROVAL OF PROPOSED REPLAT OF LOTS 101, 6524, 6525 AND THE LOTS CREATED BY THE VACATION OF 2 UNNAMED ALLEYS BETWEEN SHORB & MARION AVE SW (SPRING REALTY). - PUBLIC SAFETY & THOROUGHFARES COMMITTEE
41. PLANNING COMMISSION: RECOMMENDING APPROVAL W/CONDITIONS OF PROPOSED ZONE CHANGE FOR 405 THE O JAY'S PARKWAY FR: B-3 TO: PB-4 (TARGET INVESTMENTS INC.). - JUDICIARY COMMITTEE
42. SAFETY DIR., HUNT: REQUEST TO RE-APPROPRIATE VARIOUS FUND ON BEHALF OF THE CANTON FIRE DEPT. - FINANCE COMMITTEE

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43. SAFETY DIR., HUNT: AUTHORIZE DIR OF PUB SAFETY TO ENTER INTO A LEASE AGREEMENT W/PHIL CAPRI FOR THE PROPERTY LOCATED AT 903 - 12<sup>TH</sup> ST NW FOR SPACE FOR A POLICE SUB-STATION IN THE WEED & SEED AREA. - PUBLIC PROPERTY CAPITAL IMPROVEMENT & FINANCE COMMITTEES
44. SAFETY DIR., HUNT: AUTHORIZE DIR OF PUB SAFETY TO PAY A MORAL OBLIGATION ON BEHALF OF CANTON POLICE DEPT IN THE AMOUNT OF \$3,308.28. - FINANCE COMMITTEE
45. SERVICE DIR., CONCATTO: REQUEST TO ADVERTISE, RECEIVE BIDS & ENTER INTO CONTRACT FOR CONSTRUCTION OF 14,700 FEET OF 8 & 12 INCH WATER MAIN & INSTALLATION OF A BOOSTER PUMP W/A STANDBY GENERATOR TO EXTEND WATER MAINS INTO OSNABURG TOWNSHIP; AUTHORIZE FILING AN APPLICATION & ENTER INTO A CONTRACT W/THE OHIO WATER DEVELOPMENT AUTHORITY (OWDA) FOR A LOAN IN THE AMOUNT OF \$1,967,781 TO BE AMORTIZED OVER A PERIOD OF 20 YEARS; ESTABLISH A SPECIAL ACCOUNT TO BE SET UP FOR THE OSNABURG WATER MAIN EXTENSION FUND WHEN THE APPLICATION TO OWDA IS APPROVED & THAT ALL OWDA PROCEEDS, ASSESSMENTS, TAP-IN FEES & WATER USE REVENUE RECEIVED FROM THIS PROJECT BE USED ONLY FOR REPAYMENT OF THE OWDA LOAN & ALL CONTRACT COSTS, ALONG W/ALL INTEREST EARNED ON THE BAL OF THIS FUND & THE FOREGOING FUNDS NOT DEPOSITED IN THE GENERAL OPERATING FUNDS OF THE WATER DEPT; DIRECT AUDITOR TO ESTABLISH AN OSNABURG WATER MAIN EXTENSION FUND ACCT; REQUEST SUPPLEMENTAL APPROPRIATION FR: UNAPPROPRIATED BAL OF THE OSNABURG WATER MAIN EXTENSION FUND ACCT TO: APPROPRIATED BAL OF THE OSNABURG WATER MAIN EXTENSION FUND ACCT WHEN THE LOAN IS APPROVED. - ENVIRONMENTAL & PUBLIC UTILITIES & ANNEXATION COMMITTEES
46. SERVICE DIR., CONCATTO: AUTHORIZE THE DIR OF PUB SERVICE TO EXECUTE A CHANGE ORDER W/GROUND TECH, INC., IN AN AMOUNT NOT TO EXCEED \$13,646 AND AUTHORIZE SUPPLEMENTAL APPROPRIATION FOR THAT AMOUNT FR: UNAPPROPRIATED BAL OF THE 5410 SANITARY SEWER FUND TO: 5410 20-60-41 WPCC - BIOFILTER MEDIA REPLACEMENT PROJECT. - FINANCE COMMITTEE
47. SERVICE DIR., CONCATTO: AUTHORIZE DIR OF PUBLIC SERVICE TO ENTER INTO CONTRACT W/MITY-LITE, INC FOR THE PURCHASE OF 1,500 FOLDING CHAIRS, 15 STACKING CARTS & 5 STACKING BASES FOR THE CANTON MEMORIAL CIVIC CENTER IN THE AMOUNT OF \$53,616. - FINANCE COMMITTEE
48. SERVICE DIR., CONCATTO: AUTHORIZE DIR OF PUB SERVICE TO ENTER INTO A CONTRACT W/MOTTER & MEADOWS ARCHITECTS IN AN AMOUNT OF \$56,600 FOR ARCHITECTURAL/ENGINEERING SERVICES FOR CSD PROJECT. - FINANCE COMMITTEE

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49. STARK CO., COMMON PLEAS CT: RECEIPT OF RELATORS' VERIFIED COMPLAINT FOR: WRITS OF MANDAMUS & PROHIBITION, DECLARATORY RELIEF & INJUNCTIVE RELIEF AND RECEIPT OF TEMPORARY RESTRAINING ORDER & PRELIMINARY INJUNCTION (ONASBURG TOWNSHIP). - RECEIVED & FILED
50. TREASURER, SCHIRACK: DECEMBER 2006 PARKING METER REVENUE. - RECEIVED & FILED
51. TREASURER, SCHIRACK: DEPOSITS & PAY INS FOR THE MONTH OF DECEMBER 2006 FOR THE AMBULANCE LOCK BOX ACCOUNT. - RECEIVED & FILED
52. WESTBROOK PARK UNITED METHODIST APPLICANT: ZONE CHANGE APPLICATION FOR 2521 - 12<sup>TH</sup> ST NW FR: R1-a TO: PB-4. - PLANNING COMMISSION
53. WILLIAMS, ERIC, ATTORNEY: NOTICE OF ADMINISTRATIVE APPEAL FOR FILING IN THE CASE: PLAIN TWP BOARD OF TRUSTEES V. BOARD OF COUNTY COMMISSIONERS, STARK COUNTY, ET AL.(DIOGUARDI ANNEX) - RECEIVED & FILED

**ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING**

PRESIDENT PRO TEM CASAR: We are now under Ordinances and Formal Resolutions for the first reading. Let the journal show that all ordinances are being given their readings as required by State Law. Madame Clerk, read ordinances please by title only.

***NOTE: PRESIDENT PRO TEM CASAR CALLED UPON CLERK TIMBERLAKE TO READ ORDINANCES #1 THROUGH #12A FOR THE FIRST TIME BY TITLE & ANNOUNCED THE COMMITTEE REFERRAL, AS FOLLOWS.***

- #1 (1<sup>ST</sup> RDG) AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A JOB CREATION TAX INCENTIVE & NET PROFITS INCENTIVE AGREEMENTS WITH LITTLE CHICAGO INVESTMENTS, INC., DBA LITTLE CHICAGO BISTRO PURSUANT TO THE CITY'S ECONOMIC GROWTH INITIATIVE PROGRAM; AND DECLARING THE SAME TO BE AN EMERGENCY.  
Referred to Community and Economic Development Committee
- #2 (1<sup>ST</sup> RDG) AUTHORIZING THE MAYOR AND/OR SERVICE DIRECTOR TO FILE AN APPLICATION TO THE STATE OF OHIO TO PARTICIPATE IN THE CLEAN OHIO REVITALIZATION FUND, APPLY FOR FINANCIAL ASSISTANCE & ADMINISTER THE FUNDS RECEIVED FOR THE HERCULES PROJECT; AND DECLARING THE SAME TO BE AN EMERGENCY.  
Referred to Finance Committee
- #3 (1<sup>ST</sup> RDG) AUTHORIZING THE MAYOR AND/OR SERVICE DIRECTOR TO FILE AN APPLICATION TO THE STATE OF OHIO TO PARTICIPATE IN THE CLEAN OHIO REVITALIZATION FUND, APPLY FOR FINANCIAL ASSISTANCE &

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ADMINISTER THE FUNDS RECEIVED FOR THE BISON PROJECT; AND DECLARING THE SAME TO BE AN EMERGENCY.

Referred to Finance Committee

- #4 (1<sup>ST</sup> RDG) AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO JOB CREATION TAX INCENTIVE & NET PROFITS INCENTIVE AGREEMENTS WITH REM COMMERCIAL PURSUANT TO THE CITY'S ECONOMIC GROWTH INITIATIVE PROGRAM; AND DECLARING THE SAME TO BE AN EMERGENCY.  
Referred to Community & Economic Development Committee
- #5 (1<sup>ST</sup> RDG) AMENDING EXHIBIT A TO ORDINANCE #40/2000, AS AMENDED, THE CLASSIFICATION PLAN FOR BARGAINING UNIT PERSONNEL EMPLOYED BY THE CITY OF CANTON; AND DECLARING THE SAME TO BE AN EMERGENCY.  
Referred to Personnel Committee
- #6 (1<sup>ST</sup> RDG) AN ORDINANCE APPROVING A 3 YEAR COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY OF CANTON & AFSCME LOCAL 2937/OHIO COUNCIL 8; AND DECLARING THE SAME TO BE AN EMERGENCY.  
Referred to Personnel Committee
- #7 (1<sup>ST</sup> RDG) AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY TO ACCEPT A DONATION TO ASSIST IN THE PURCHASE OF WATER RESCUE EQUIPMENT AND AMENDING APPROPRIATION ORDINANCE #241/2006, AS AMENDED BY MAKING THE SUPPLEMENTAL APPROPRIATION HEREIN DESCRIBED; AND DECLARING THE SAME TO BE AN EMERGENCY.  
Referred to Finance Committee
- #8 (1<sup>ST</sup> RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY TO ENTER INTO CONTRACT WITH BURGESS AMBULANCE SALES, INC., & ROAD RESCUE, INC., FOR THE PURCHASE OF A MEDIC UNIT AND/OR RELATED EQUIPMENT PURSUANT TO OHIO REVISED CODE SECTION 125.04; AND DECLARING THE SAME TO BE AN EMERGENCY.  
Referred to Finance Committee
- #9 (1<sup>ST</sup> RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE AND SAFETY TO ADVERTISE, RECEIVE BIDS & ENTER INTO CONTRACT FOR SUPPLY ITEMS, MATERIALS & PROFESSIONAL SERVICES FOR THE CITY OF CANTON'S OPERATIONS DURING THE 2007 CALENDAR YEAR; AUTHORIZING ALTERNATIVELY THE PURCHASE OF SAID ITEMS PURSUANT TO THE STATE COOPERATIVE PURCHASING AGREEMENT AND/OR ODOT PURCHASING AGREEMENT; AND DECLARING THE SAME TO BE AN EMERGENCY  
Referred to Finance Committee

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- #10 (1<sup>ST</sup> RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CONTRACT WITH THE CANTON JOINT RECREATION DISTRICT FOR FIELD MAINTENANCE AT THURMAN MUNSON MEMORIAL STADIUM; AND DECLARING THE SAME TO BE AN EMERGENCY.  
Referred to Finance Committee
- #11 (1<sup>ST</sup> RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE 241/2006, AS AMENDED BY MAKING THE SUPPLEMENTAL APPROPRIATION HEREIN DESCRIBED; AND DECLARING THE SAME TO BE AN EMERGENCY  
Referred to Finance Committee
- #12 (1<sup>ST</sup> RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO PROFESSIONAL SERVICES CONTRACTS FOR HEALTH CARE BENEFITS ADMINISTRATION & STOP-LOSS INSURANCE FOR CITY EMPLOYEES & THEIR DEPENDENTS; AND DECLARING THE SAME TO BE AN EMERGENCY  
Referred to Finance Committee
- #12A (1<sup>ST</sup> RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR ANNEXATION DIRECTOR ON BEHALF OF THE CITY TO FILE AN AMENDED MAP AND COOPERATIVE ECONOMIC DEVELOPMENT AGREEMENT IN PREVIOUSLY FILED ANNEXATIONS AND/OR TO RE-FILE AN EXPEDITED ANNEXATION; AND DECLARING THE SAME TO BE AN EMERGENCY  
Referred to Annexation Committee

**ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING**

PRESIDENT PRO TEM CASAR: We are now under Ordinances for their second reading. Madame Clerk, will you please read Ordinances by title only.

***NOTE: PRESIDENT PRO TEM CASAR CALLED UPON CLERK TIMBERLAKE TO READ ORDINANCE #14 THROUGH #17 FOR THEIR SECOND TIME BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:***

- #14 (2<sup>ND</sup> RDG) AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY TO ACCEPT A DONATION TO ASSIST IN THE PURCHASE OF WATER RESCUE EQUIPMENT; AMENDING APPROPRIATION ORDINANCE #241/2006 BY MAKING THE SUPPLEMENTAL APPROPRIATION HEREIN DESCRIBED; AND DECLARING THE SAME TO BE AN EMERGENCY
- #15 (2<sup>ND</sup> RDG) AN ORDINANCE AMENDING SECTIONS 921.01, 921.02, 921.03 AND 921.06 OF CHAPTER 921, CITY SCAPES SIDEWALK AND CURB PROGRAM OF THE CODIFIED ORDINANCES OF THE CITY OF CANTON
- #16 (2<sup>ND</sup> RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A ROAD MAINTENANCE AGREEMENT WITH THE STARK



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COUNTY COMMISSIONERS; AND DECLARING THE SAME TO BE AN EMERGENCY

- #17 (2<sup>ND</sup> RDG) AN ORDINANCE AUTHORIZING THE MAYOR TO SUBMIT THE CITY'S COMPREHENSIVE ECONOMIC DEVELOPMENT STRATEGY AS REQUIRED BY THE US DEPARTMENT OF COMMERCE, ECONOMIC DEVELOPMENT ADMINISTRATION AND TO ACCEPT APPROVED FUNDING ON BEHALF OF THE CITY OF CANTON; AND DECLARING THE SAME TO BE AN EMERGENCY

ORDINANCES & FORMAL RESOLUTIONS FOR THIRD AND FINAL READING

PRESIDENT PRO TEM CASAR: We are now under Ordinances for their third and final reading. Madame Clerk, please read Ordinance #18 by title.

***NOTE: PRESIDENT PRO TEM CASAR CALLED UPON CLERK TIMBERLAKE TO READ THE FOLLOWING ORDINANCES #18 THROUGH #19 FOR THEIR THIRD AND FINAL READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS. ALL THE ORDINANCES WERE ADOPTED BY COUNCIL FOLLOWING THEIR THIRD READING***

- #18. (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE 6/2006** AN ORDINANCE AUTHORIZING AND CONSENTING TO THE UPGRADING REPLACEMENT GROUND-MOUNTED SIGNS ON VARIOUS ROUTES IN STARK COUNTY UNDER THE SUPERVISION OF THE DIRECTOR OF TRANSPORTATION OF THE STATE OF OHIO; AND DECLARING THE SAME TO BE AN EMERGENCY

MEMBER CARBENIA: Mr. President. I move that ah...we adopt Ordinance #18; seconded.

PRESIDENT PRO TEM CASAR: It's been moved and seconded to adopt Ordinance #18, are there any comments?... If not, roll call please.

NO REMARKS

ROLL CALL: 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas Mr. President.

PRESIDENT PRO TEM CASAR: Ordinance #18 has been adopted.

**#18 ADOPTED AS ORDINANCE 6/2007**

- #19 (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE 7/2007** AN ORDINANCE AUTHORIZING THE CITY AUDITOR TO PAY A MORAL OBLIGATION IN AN AMOUNT NOT TO EXCEED \$37,204.00 TO CANTON CITY SCHOOLS; AND DECLARING THE SAME TO BE AN EMERGENCY

MEMBER CARBENIA: Mr. President.

PRESIDENT PRO TEM CASAR: Mr. Carbenia.

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MEMBER CARBENIA: I move we adopt Ordinance #19; seconded.

PRESIDENT PRO TEM CASAR: It's been moved and seconded to adopt Ordinance #19, are there any comments?... If not, roll call please.

NO REMARKS

ROLL CALL: 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas Mr. President.

PRESIDENT PRO TEM CASAR: Ordinance #19 has been adopted.

**#19 ADOPTED AS ORDINANCE 7/2007**

**ANNOUNCEMENT OF COMMITTEE MEETINGS**

PRESIDENT PRO TEM CASAR: We are now under Announcement of Committee Meetings.

MEMBER CARBENIA: Mr. President.

PRESIDENT PRO TEM CASAR: Member Carbenia.

MEMBER CARBENIA: I move ah....er.....ha...Community and Economic Development will meet next Monday, 1/29/07 at 5:30.

MEMBER HAWK: Mr. President

PRESIDENT PRO TEM CASAR: Mr. Hawk.

MEMBER HAWK: Finance Committee will meet 1/29/07 at 5:30.

PRESIDENT PRO TEM CASAR: Member Smuckler.

MEMBER SMUCKLER: Ah, Annexation will meet same time, same place.

MEMBER PRATER: Mr. President.

PRESIDENT PRO TEM CASAR: Member Prater.

MEMBER PRATER: Personnel Committee will meet next Monday at 5:30.

**PUBLIC SPEAKS (OPEN FORUM--CITY BUSINESS ONLY)**

PRESIDENT PRO TEM CASAR: Okay, we are now under Public Speaks. We have no one signed up for public speaks.

**MISCELLANEOUS BUSINESS**

PRESIDENT PRO TEM CASAR: Miscellaneous business.

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MEMBER WEST: Mr. President.

PRESIDENT PRO TEM CASAR: Member West.

MEMBER WEST: Yeah, a few weeks ago, um, there was an article in the paper about the Youth City Council. Many members were um.....puzzled by that because they wasn't certain that the Youth City Council had started. Um...when we passed the Ordinance the City of Canton, Canton City Schools..um....started to process the Youth City Council. Apparently they are meeting um...with two different groups, one at McKinley and one at Timken and they're meeting in their, during their lunch hour. Um so right now the Youth City Council is in formation um....and basically right now, you have different people going to those groups to hear youth voice and that's what you seen in the paper was raw, youth voice. Um...and it's good because it gives us a chance to hear what their perception is ah...about our community, about our City. But the reality is, when it comes down to us going in and speaking to them as Councilmembers and as this goes on, as this process goes along, you'll see more involvement and more mentoring amongst the Youth City Council and City Council. Ah...they will be coming to speak out about what they see in their neighborhood. Some of it may be, again it's totally their perception. Um... and I think that that's a positive thing because we're now able to hear what people, what young people see. So I wanted to let everybody know that uh....they are meeting again...uh.....the Mayor is actually going over there tomorrow. Uh....to meet with them and they're going to axe her, or she is going to answer some of their questions. Um....so I do um... if any of you would like to in the future to um talk with young ah...Youth City Council, I would urge that you talk to Mike Feeland and set that up and we can um....make that happen for you.

MEMBER SMUCKLER: Mr. President.

PRESIDENT PRO TEM CASAR: Member West, I would just like to comment if I may on that. I did read that article in the paper and I didn't think it was too ah....well written in my opinion....ah, anyone can have an opinion on what they want to do or ah...they're perception of ah....but, they didn't contact myself as a Councilperson to make any remarks on it. Did they contact you? To make remarks on that? I'm asking you a question, did they?

MEMBER WEST: Yes, I was also in that article.

PRESIDENT PRO TEM CASAR: Okay, but I don't think like the administration wasn't contacted. So I guess my...my reason ah...for kinda disagreeing on your comments is that ah....anyone, if they're forced up there, they could say one thing but I think we ought to hear it from all sides before an...ah....article like that is written. I mean, I know we can't stop the.... you know the God almighty power of the ink ah...but ah...we should ah...have some input before we are criticized as some points as that article said.

MEMBER WEST: And I think what you found in that article was, it was unscripted, I mean it wasn't...it was raw and I think the...the writer, what's her name, was Imani, who was a college student at Kent State University..uh, who really went to each of these youths and spoke to them directly and afterwards, we had a meeting, actually last week with several community members in reference to that article and what it brought out and as Imani had spoke it was not a lot of editing done to that. It was really giving the community um....the perspective of what young people thought about their city. And, not to say that all the ah...remarks were accurately, because I'm sure many of you go into the schools and speak and we know that. But from a

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perception of the young people that's what you seen. Um...I did this several years ago in the mental health field and what was interesting, the same thing happened with young professionals and the mental health field and they all thought that they knew these young people well and that they were doing a great justice for these young people and what they found out, it was the young people had a totally different perception then what adults did. And I think that that's a value thing as something we can learn from. And that's what so important for us to collaborate with the young people so that we are on the same page. I do understand that other people have a perspective and what I heard is that there possibly will be ah...further conversation as it goes along.....

PRESIDENT PRO TEM CASAR: Well Member West....

MEMBER WEST: And that's how we meet on the same page.

PRESIDENT PRO TEM CASAR: And that's all fine and good but at the same token, I personally get tired of hearing these youngsters, people say today they have nothing to do, when we have a lot of programs that are....with the Recreation Department, the City itself, the different ah...Community Centers in this.....ah we do have things to do and I think we as adults and we as elected officials should point that out to our....to our young children, our young adults, that are things to do. And don't come up with the old saying that there's nothing for the youth to do. I mean, we all grew up in this community, there was things to do and there's things to do also but we must show them and tell them and....and you know, let them know before they come up with the old saying "There's nothing to do." Because to me, I...I can't ah...believe that at all.

MEMBER WEST: And...and excuse me.....

PRESIDENT PRO TEM CASAR: Member Smuckler.

MEMBER SMUCKLER: Mr. Chairman, um...it may be a difference of perspective of what there is to do now versus what there was to do when I was younger and you were younger. And, I'm willing to listen, in fact, Member Hawk, Member Cirelli and Bill Smuckler sent a letter asking for when the Youth Council was formed that we be invited to attend some of these things so that we could hear what they had to say...Um.....no one responded to our letter that we sent, no one has invited up to date to anything and it's not that I want to speak to anybody because I do enough talking throughout the whole week. I'd like to listen and just being able to hear what they have to say. I'm thrilled that the Mayor was finally invited and ah...they could do this. But we did send a letter, especially after the article that appeared in Rick Seneften's column that nobody from City Council took an interest in this and we did take an interest, we do want to be invited and I don't have to talk, all I want to do is hear because I have a 19 year old, 17 year old and a 15 year old and they tell me everyday about there is nothing to do here and it's a difference of perspective. Their not gonna go play basketball, baseball and football Don, like we used to do. It's a question of finding different things in this day in age for them to do and I'd like to hear what they have to say. But I don't want to hear through a newspaper article, I'd rather hear first hand.

PRESIDENT PRO TEM CASAR: Mayor.

MAYOR CREIGHTON: Ah....Mr. President, thank you. Ah just to clarify, I picked up the phone and asked to be invited. I was not offered the invitation....um....and I also want to share that in...in that dialogue found out that there are some young people that indeed have legitimate questions. So my first suggestion was, why

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don't we educate them on the process. One in particular, I'm looking at John Labriola in the audience is the demolition of homes and the young lady has a question and I said rather than you know, um..... come to cou....she is most welcome to come to Council and ask any question but allow us to help them to understand. Many of our adults citizens don't understand and so just give us the chance but the dialogue has to be to-way and....and I feel.....I have to tell you that I was hurt and I shared this with Councilman West after the last meeting that I was angry that I have not....that I didn't even know that they had formed and so I applaud them for doing it but give us a chance, Council, Administration, City Department Heads to dialogue with the young.

MEMBER KRAUS: Mr. President.

PRESIDENT PRO TEM CASAR: Member Kraus.

MEMBER KRAUS: Thomas, as you know I talked with you about this. That article did admit that the 8<sup>th</sup> Ward was not quite represented at all. We don't have but a few students who attend McKinley or Timken. We are basically 98% Plain Local. Either they need to get involved with it, I don't want to start two programs but you know, if we're gonna do it, I....I want the 8<sup>th</sup> Ward youth who I work with to be included either in that or we're gonna have to get Plain Local to become Canton City Schools, which would be a dream for me because they're a problem out there by themselves.

MEMBER ZACHARY: Mr. President.

PRESIDENT PRO TEM CASAR: Member Zachary.

MEMBER ZACHARY: Um.....Member West, perhaps that can be addressed because I've been to several community meetings in which it's been clearly stated that even though some residents live in the City, their children do attend Plain Local Schools and it's not just in the 8<sup>th</sup> Ward, so perhaps the program can be extended to include those students who live in the City of Canton and even those who attend GlenOak or other local townships who want to be involved and be interested and um....just for the record, I will say that I know we do get beat up a lot when it seems like we're not being proactive but, many of us did not know the program had started so um....I'm not pointing fingers at anybody but ya know, we shouldn't be getting beat up when....when we didn't know it had even taken place. So...um...if you could keep us informed in the future, I'm sure more of us will be involved.

MEMBER WEST: Member.....Mr. President.

PRESIDENT PRO TEM CASAR: Member West.

MEMBER WEST: Thank you. Um....no, I do appreciate everybody's comments...um...but yes, we did....I did make an announce here at Council in reference to Youth City Council and meeting with them sometime ago. Um.....but I, I have to look back at the date on that and I will get that for you.....um....the other thing I wanted to mention and the reason why this process is started out with Timken and McKinley is because we had a lone hero, Michael Freeland, who wanted to start it from Canton City. No one, this is not a paid program and I don't think City Council's given a dime yet to this. Um.....so Canton City has agreed to start the program at their site in order for us to move this further to different schools like Plain Township reaching out to them and I think I talked to you Butch about that. Was that they were going through a levy and it was

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not an appropriate time. Canton South, we've had some communication with in reference to this and yes they are also interested in the program....Um....but I think we have to start somewhere and I think right now with Timken and McKinley starting, none of the kids have actually been identified for the seats which will actually be the Youth City Council. This is currently a membership of applications that were accepted and I think the last time I talked to you, I axed you guys, I said "If you have anybody that wanted to join Youth City Council, their applications needed to go to Mike Freeland." That gave you some indication that this was started....Um....and then I think in the future what we had indicated what Mike Freeland had told this Council was that they would periodically come back and speak to Council and let you know what's going on, which they are planning to do here at the end of January, so that's the link to the Council and hopefully in the future we can move this forward. Yes, it's rough starting out but right as I said before, we got over 25 youth, I think that have joined the membership that has stressed interest. Every....(inaudible) McKinley and Timken from all wards has an opportunity to apply for these positions.....ah and be a part of the membership. Thank you.

PRESIDENT PRO TEM CASAR: Member West...uh...this might be a good time to announce to yourself but also to the public, which most members of Council know that on February 5<sup>th</sup> we will be holding our Council meeting at Timken High School and I would hope that you would, through your contacts with the Youth Group, make sure they all know that we're having a meeting there, hopefully they can all be in attendance. It will give them something to do that evening and....and..uh....and...really uh...let's...let's stress that way that yes we are, we are concerned and we do want our....our...our... young adults to have things to do. But in the same token like many of these Councilman said that...that we like to be informed and so it's ah....the meeting on February 5<sup>th</sup>, that'll include our committee meetings and everything will be over there and I would hope the ah...Government classes would all attend and that we have, we have a show of what Government does do. And so if you would pass that on to whoever, I would really appreciate it. And any further remarks?

MEMBER CIRELLI: Mr. President. Now, I'm going to show my age but, I'm from the old school that at our home if we ever had the opportunity to say we didn't have anything to do, our parents came back with a real fast word, which people consider a dirty word now, it was called "work" and so, you know we kids never got into trouble because our parents seen that we really kept at it. Maybe that's something that we need to have other parents encourage them to start having their children do. There's a lot of work that can be done in the neighborhoods and ah...with senior citizens and people like that, you know, so it's something that maybe we could bring back the good old fashion hard work.

PRESIDENT PRO TEM CASAR: Show my age, I agree with you.

*(LAUGHTER)*

PRESIDENT PRO TEM CASAR: Martuccio please.

LAW DIRECTOR MARTUCCIO: Thank you Mr. President. Again, um.....as Member West stated there, there are some rules and regulation, or bylaws that we're promulgated for this Youth Council. In it, there are provisions, Member Kraus, for future expansion into City Residence who are members of other school districts. Um.....and as Member West pointed out, they will have to periodically come to Council and make their reports at which point you can entertain questions and exchange ideas with them. I also would like to point out that uh....we do have youths who are here probably involuntarily on occasion. One of them is here

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tonight with her father, former City Labor Relations Lawyer, Bob Scholl, he is here with his daughter who I think is here with a Government class and she can take this back to her class and stir good debate. And in front of her, Mary Moss has a number of programs geared toward youth and the arts and entertainment and um.....maybe we could have a space for her in the City Newsletter or ah....perhaps some other City source advertising those programs and others that you know of that are beneficial and instructive for youth. Thank you.

PRESIDENT PRO TEM CASAR: Member Hawk.

MEMBER HAWK: One quick comment. Last Friday night, the 19<sup>th</sup> there was one very excellent event that occurred in Downtown Canton, it was an ice sculpture event. The local artists raised the dollars, put on....had a blues band, had a half a dozen different people participating in ice sculptures. Three of those groups were in fact ah.....were high school students....ah, we had a very good turnout, it was really something to see and it looks like they're going to work on it again next year so it will give us something to enjoy. Stop over and look at all of the....look at the big walrus by the Courthouse, it was a professional artist. It's pretty nice, it's worth viewing.

PRESIDENT PRO TEM CASAR: Thank you member Hawk. It's obvious you attended because you have a cold. (*LAUGHTER*) Are there any other....if not....

MEMBER CARBENIA: Mr. President.

PRESIDENT PRO TEM CASAR: Member Carbenia.

MEMBER CARBENIA: I move we adjourn; seconded.

PRESIDENT PRO TEM CASAR: It's been seconded to adjourn. Roll call please.

NO REMARKS

ROLL CALL: 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas Mr. President

PRESIDENT PRO TEM CASAR: Meeting's adjourned.

ADJOURNMENT TIME: 7:59 PM

ATTEST:

APPROVED:

CYNTHIA TIMBERLAKE  
CLERK OF COUNCIL

DON CASAR  
PRESIDENT PRO TEM OF COUNCIL

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